

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael M. Ballard on December 5, 2008.

1. The application has been amended as follows:

In claim 26, on line 6, --thereof-- has been inserted after "first end".

In claim 26, on line 7, --thereof-- has been inserted after "opposite end".

In claim 28, on line 2, --thereof-- has been inserted after "first end".

In claim 26, on line 3, --thereof-- has been inserted after "opposite end".

In claim 39, on line 7, --thereof-- has been inserted between "end" and "to".

In claim 26, on line 8, --thereof-- has been inserted after "opposite end".

In claim 44, on lines 2-3, "at one end and linked at an opposing end to the treadbase." has been replaced with --at one end of the second lift motor assembly and linked at an opposing end of the second lift motor assembly to the treadbase.--

In claim 45, on line 3, --, the treadbase having an endless belt-- has been inserted after "base".

In claim 45, on line 5, --thereof-- has been inserted after "first end".

In claim 45, on line 6, --thereof-- has been inserted after "opposite end".

In claim 45, on line 12, "first" before "cam" has been deleted.

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In claim 46, on line 2, "first" before "cam" has been deleted.

inserted after "base".

In claim 48, on line 2, --thereof-- has been inserted after "first end" and "second end".

In claim 48, on line 2, "first" after "said" has been deleted.

In claim 50, on line 3, --, the treadbase having an endless belt-- has been inserted after "base".

In claim 50, on line 5, --thereof-- has been inserted after "first end".

In claim 50, on line 6, --thereof-- has been inserted after "opposite end".

### **REASONS FOR ALLOWANCE**

The following is an examiner's statement of reasons for allowance:

2. The prior art of record fails to show or teach applicant's claimed treadmill comprising a support base, a treadbase that is adjustably inclined, a lift motor assembly, a cam and an inclined link bar wherein the motor assembly moves the cam which in turn moves the link bar to adjust the treadbase to incline. In particular, the motor assembly causes the cam, having three pivot locations, to pivot and thus displace a link bar which is pivotally connected to the cam and the treadbase such that the treadbase is moved to incline relative to the support frame.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to TAM NGUYEN whose telephone number is (571)272-4979. The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tam Nguyen can be reached on 571-272-4979. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

December 5, 2008

/Tam Nguyen/  
Examiner, Art Unit 3764  
/Steve R Crow/  
Primary Examiner, Art Unit 3764